

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America)

v.)

Charles Vaughan)

a/k/a Charles Vaughn)

Case No. 19-1910-M)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 15, 2019 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

18 U.S.C. Section 922(g)(1)

Offense Description

On or about April 15, 2019, in Philadelphia, in the Eastern District of Pennsylvania, defendant CHARLES VAUGHAN, knowing he had previously been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by a term of imprisonment exceeding one year, knowingly possessed a firearm, that is, a .22 caliber Intratec model TEC-22 semi-automatic pistol, and the firearm was in and affecting interstate and foreign commerce.

This criminal complaint is based on these facts:

See attached affidavit.

☐ Continued on the attached sheet.


Complainant's signature

Special Agent Michael Plesniak, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/14/2019City and state: Philadelphia, PA


Judge's signature

Honorable Lynne A. Sitarski, Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Michael L. Plesniak, being duly sworn, deposes and states as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since September 2015. I am a "federal law enforcement officer" within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request an arrest warrant. I am a graduate of the Criminal Investigator Training Program and the Special Agent Basic Training Program at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. I am currently assigned to a specialized enforcement group, the ATF Violent Crimes Task Force, whose primary mission is to investigate those individuals and groups that are engaged in the commission of federal firearms and narcotics violations.

2. The information contained in this affidavit is based upon my personal observations and investigation, information relayed to me by other special agents or other law enforcement agents, as well as official reports of law enforcement. Because this affidavit is being submitted for the limited purpose of securing authority to arrest Charles VAUGHAN a/k/a Charles VAUGHN, I have not included every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause.

3. On or about April 15, 2019, Philadelphia Police Department (PPD) Highway Patrol Officers were conducting patrol in a marked police vehicle in PPD's 15th District of Philadelphia, Pennsylvania. At approximately 9:24 p.m., while traveling southbound on the 4300 block of Leiper Street, the officers observed a red Pontiac Grand Prix bearing Pennsylvania license plate KZC-3208 operating with dark tinted windows preventing the officers from seeing inside the vehicle, in violation of Pennsylvania Vehicle Code (Title 75) § 4524 (e). The driver, later

identified as Charles VAUGHAN, complied with the officer's request to lower the vehicle windows prior to them approaching. As the officers approached the vehicle, they smelled the odor of marijuana coming from inside the vehicle. While standing on the passenger side of the vehicle, one of the officers observed multiple small blue ziplock packets on the passenger floorboard, consistent with crack-cocaine packaging. Based on this observation, the officers decided to remove VAUGHAN from the vehicle and conduct a search.

4. During the subsequent search of the vehicle, the officers accessed the trunk compartment by folding down the rear passenger seat. In the trunk, the officers discovered a red and silver .22 caliber Intratec model TEC-22 semi-automatic pistol, bearing serial number 083675, loaded with one round in the chamber, and a double banana style magazine containing a total of 28 rounds of .22 caliber ammunition. Also in the trunk, the officers found a clear sandwich bag containing 11 rounds of 9mm ammunition. The officers determined that VAUGHAN did not have a permit to carry the above listed firearm in Philadelphia, and placed him under arrest for violations of the uniform firearms act. During the search incident to arrest, officers recovered 14 clear packets containing blue glassine inserts stamped "Red ligh" containing suspected heroin in VAUGHAN's underwear, near his groin. The officers transported VAUGHAN to PPD's 15th District for processing.


5. Later that night, VAUGHAN gave a Mirandized statement to two Philadelphia Detectives in which he admitted to purchasing and possessing the firearm found in the car's trunk.

6. At the 15th District, PPD Detectives conducted a field test on the suspected heroin, which yielded positive results for the presence of heroin. VAUGHAN was also charged with unlawful possession of a controlled substance.

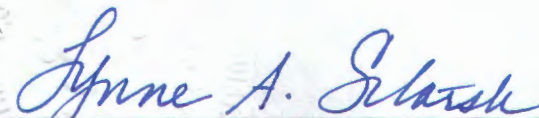
7. This affiant reviewed VAUGHAN's criminal history that showed two prior felony convictions, both punishable by more than one year. In July 2016, VAUGHAN was arrested for firearms charges, to which he later pled guilty, and was later sentenced to confinement for 1-2 years. In February 2017, VAUGHAN was arrested for robbery and firearms charges, to which he later pled guilty, and sentenced to confinement for 2-5 years. VAUGHAN was therefore prohibited from carrying a firearm.

8. This affiant researched the origin and manufacture of the recovered firearm. The Intratec model TEC-22 pistol, bearing serial number 083675, was manufactured outside of the Commonwealth of Pennsylvania. By virtue of its recovery in the Commonwealth of Pennsylvania, this firearm traveled in interstate commerce.

9. Based on all the facts set forth above, I believe that there is probable cause that Charles VAUGHAN has violated Title 18 U.S.C. Section 922 (g)(1), felon in possession of a firearm.


Michael L. Plesniak
Special Agent, ATF

Sworn before me this
14th day of November, 2019


HONORABLE LYNNE A. SITARSKI
United States Magistrate Judge